

## CHAPTER 18.29 DUC – DOWNTOWN URBAN CENTER ZONE

### **Sections:**

- 18.29.010 Intent.
- 18.29.020 Scope.
- 18.29.030 Process.
- 18.29.040 Use Limitations.
- 18.29.050 Development Standards.
- 18.29.060 Definitions.
- 18.29.070 Design Standards.

### **18.29.010 Intent.**

The Downtown Urban Center zone is intended to create a distinct and strong identity for Downtown Auburn by establishing land use and design standards for review of development proposals within the core area of the City of Auburn's designated Urban Center, in order to implement the City of Auburn Downtown Plan and the goals, policies and objectives of the Auburn Comprehensive Plan. This zone is intended to produce a concentration and mixture of commercial, office, medical, retail, residential and civic uses within the Downtown area; to encourage private and public investment, attract shoppers and visitors, and appeal to existing and new residents; to provide a development pattern that supports pedestrian movement, bicycles and use of public transit; and to provide opportunities to increase the City's tax base, thereby helping to fund public improvements and public services.

### **18.29.020 Scope.**

- A. The Downtown Urban Center zone ~~may~~ be applied to ~~any property~~ designated as "Downtown" on the Auburn Comprehensive Plan map.
- B. Site plan and building design review and approval shall be required for all public and private development activities requiring permits within the Downtown Urban Center Zone unless exempted under Section 18.29.020(C). The Planning, Building and Community Director is given the authority to require building design and site plans consistent with the design standards contained or referenced

Deleted: shall

Deleted: all

Deleted: lands

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

herein and to require revisions as necessary in order to ensure development is consistent with the purpose of this chapter.

- C. The following activities, as determined by the Director, shall be exempt from the provisions of this Chapter:
1. Interior alterations that do not alter the exterior appearance of a structure or modify an existing site condition;
  2. Site and exterior alterations that do not exceed 25% of the assessed valuation of the property (building or land) per the most recent county records;
  3. Buildings additions that are less than ten percent (10%) of the existing floor area of the existing building(s). Any cumulative floor area increase (from the adoption date of this chapter) that totals more than 10% shall not be exempt; unless the Director determines compliance with these standards would be unfeasible and/or unreasonable;
  4. Normal or routine building and site maintenance/repair that is exempt from permit requirements;
  5. Any remodeling or expansion of existing single family residences with no change in use or addition of dwelling units involved.

#### **18.29.030 Process.**

A. Compliance with all development and design standards contained or referenced herein shall occur in conjunction with any required permit process. The Director shall provide appropriate forms that shall accompany a permit application. The Director may approve, approve with conditions, or deny a building or site development permit application to ensure compliance with these standards. Any decision regarding a permit application shall be set forth in writing and contain findings of fact and conclusions that support the decision made.

Deleted: bulk

B. The decision of the Director shall be final unless the applicant or any affected party appeals the decision to the Hearing Examiner. All appeals shall be in accordance with Auburn City Code section 18.70.050 (B–E).

#### **18.29.040 Definitions.**

These words shall have the following meanings for the purposes of this chapter:

A. "Canopy" means a cover over a sidewalk providing protection from the rain, which is constructed of durable, permanent materials.

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

- B. "Director" means the director of the Auburn Department of Planning, Building and Community.
- C. "Green roof" means a roof designed with principles of environmental sustainability, involving the use of vegetation and storm water collection and cleaning. It may or may not be accessible.
- D. "Health club" means a use that offers exercise and recreational activities for tenants and/or the general public, either with or without a fee.
- E. "Parking, below grade" means any portion of structure containing parking that is located below the average finished grade around a building.
- F. "Parking, structured" means parking contained within an enclosed building, designed to appear like it is part of the larger building complex, or a freestanding structure devoted exclusively to above-grade parking.
- G. "Performing space" means any interior or exterior area designated for live performing and entertainment.
- H. "Public art" means any form of painting, mural, mosaic, sculpture, or other work of art, so long as it can be appraised as a work of art and its value as such documented, displayed on the exterior of a building, at or near the pedestrian entrance, or on a public plaza, and visible to users of the public right-of-way at all times.
- I. "Public meeting rooms" means a space that can be used by the general public and having a capacity of at least 50 people. It may operate under a reservation or nominal fee system and must be easily accessible from a lobby or plaza.
- J. "Public plaza" means an open space that is visible and accessible to the public at all times, predominantly open to the sky, and for use principally by people, as opposed to merely a setting for the building.
- K. "Street level retail" means uses providing goods and services, including food and drink, adjacent to, visible from, and directly accessible from the public sidewalk.
- L. "Water feature" means a fountain, cascade, stream, fall, pond of water, or combination thereof, that serves as a focal point, located outside of a building, publicly visible and accessible, and active during daylight hours.

**18.29.050 Use Limitations.**

Hereafter, all buildings, structures or properties may be used for any use, unless specifically prohibited herein. Ground floor retail and/or office use is required for all

building frontages facing Main St. All uses shall be subject to review and approval by the Director. The following uses are prohibited:

- A. Sexually oriented businesses as defined in ACC 18.74.
- B. Taverns.
- C. All industrial uses as defined in the North American Industrial Classification System (1997 edition), categories 48-49 (transportation), 31-33 (manufacturing) and 42 (wholesale).
- D. Outdoor storage of materials and equipment (except during active construction projects).
- E. New automobile maintenance and repair businesses.
- F. Work release facilities; secure community transition facilities.
- G. Wrecking yards.
- H. Solid waste transfer stations.
- I. Car washes.
- J. New gasoline stations.
- K. Street-level ministorage.
- L. Outdoor sales of vehicles, boats or equipment.
- M. Drive-in/drive-through facilities with direct vehicular driveway access onto Main Street.
- N. Other uses may be prohibited by the Director if the use is determined to be inconsistent with the intent of this zone or is of the same general character of the other prohibited uses listed in this section.

**18.29.055 Uses/activities requiring permit.**

The following uses/activities may be permitted when a conditional use permit has been issued pursuant to the provisions of Chapter 18.64:

- A. Expansions of existing automobile maintenance and repair businesses.
- B. Expansions of existing gasoline stations.
- C. Animal daycare businesses that feature outdoor exercise areas and/or kennels.
- D. Expansion or alteration of any existing structure not exempted under 18.29.020.C

that does not result in a FAR of 0.75 or greater.

E. Any development project that seeks to deviate from any development standard listed in 18.29.060.

**18.29.060 Development Standards**

- A. Minimum lot area: none.
- B. Minimum lot width: none.
- C. Minimum lot depth: none.
- D. Floor Area Ratio. Floor Area Ratio is the cumulative amount of floor area within a building as a multiple of the lot area.

**Floor Area Ratio (FAR) <sup>1</sup>**

For properties abutting the south side of Main St. and to the south.

Basic Allowable "As of Right"		Maximum Allowable with Bonuses		
Non-Residential <sup>4</sup>	Residential <sup>4</sup>	Non-Residential	Residential <sup>3</sup>	Combined <sup>2</sup>
1.0	2.0	1.5	3.5	5.0

Properties abutting the north side of Main Street and to the north

Basic Allowable "As of Right"		Maximum Allowable with Bonuses		
Non-Residential <sup>4</sup>	Residential <sup>4</sup>	Non-Residential	Residential <sup>3</sup>	Combined <sup>2</sup>
3.0	2.0	4.0	3.5	5.0

1. Floor area is measured to the inside face of exterior walls. The following shall be excluded from floor area calculation:

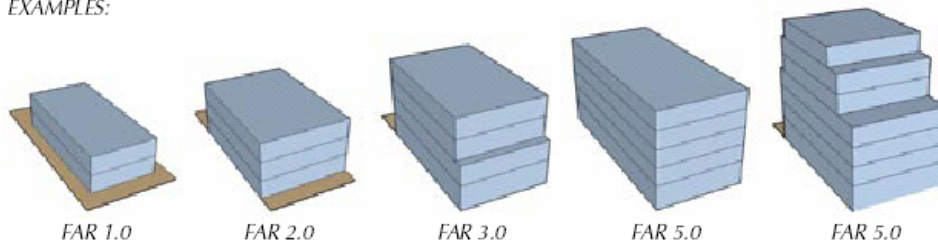
- A. All space below finished grade.
- B. Space dedicated to structured parking.
- C. Space used for any bonus feature listed in 18.29.060.E.

2. Allowable FAR for non-residential and residential uses may be added together within a project, for a combined total.

3. Hotels, nursing homes, assisted living centers, etc. shall be considered residential for the purpose of calculating FAR.

4. Minimum required FAR is 0.75; basic allowable FAR is 1.0.

EXAMPLES:



E. Bonus Features Allowing Increased Floor Area Ratio

Feature	Additional Gross Floor Area for each Feature
Street Level Retail	100 sf of floor area for each linear foot of retail frontage
Restaurant	100 sf of floor area for each linear foot of restaurant frontage
Public Plaza	5 sf of floor area for each sf of plaza
Widening Public Sidewalk	4 sf of floor area for each sf of sidewalk made available for public use
Canopy	4 sf of floor area for each sf of canopy
Day Care	4 sf of floor area for each sf of day care
Health Club	2 sf of floor area for each sf of health club
Performing Space	2 sf of floor area for each sf of performing space
Public Meeting Room	5 sf of floor area for each sf of meeting room
Public Art (Arts Commission approval required)	10 sf of floor area for each \$100 of valuation
Water Feature	10 sf of floor area for each \$100 of valuation
Structured Parking	0.5 sf of floor area for each sf of required parking above grade
Below Grade Parking	1 sf of floor area for each sf of required parking below grade (including half-level plate below grade)
Green Roof	2 sf of floor area for each sf of green roof
Public Restrooms	10 sf of floor area for each sf of public restroom
Contribution to a public park or cultural facility such as a library, museum or theatre within 0.5 miles of the DUC zone; also, any project including a performance or entertainment venue is eligible for these bonuses, based upon the value of construction.	10 sf of floor are for each \$100 of contribution towards acquisition or development. This can be used to exceed both maximum FAR and maximum building height by up to 25%.
Development of open space such as open roof decks, balconies, lanais or parts of the building and improved for outdoor living; including rooftop daycare play areas, dog walking areas, etc.	5 sf of floor area for each sf of open space

An applicant may be required to provide a legally binding agreement or easement to ensure any of the above features is maintained over the life of the project.

F. **Maximum Building Height.** Maximum building height within the DUC zone shall be 75 feet, unless bonus height is permitted per (E) above.

1. If retail uses occupy the ground floor, the minimum height for that floor shall be 14 ft.

2. Mechanical penthouses, stair/elevator overruns, and antennae may be excluded from building height calculation provided they extend no more than 20 feet above the roof deck.

3. Maximum building height may be increased by up to 20% if the top is designed as a non-habitable, architectural element. This element may extend above the increased height limit.

G. **Minimum Building Height.** The minimum height for any new structure within the DUC zone shall be two stories for the full extent of the building footprint.

H. **Parking Ratios**

The following parking standards shall apply within the DUC zone in lieu of any standard noted in ACC 18.52.020 or provision of ACC 18.52.030.

Use Type	Minimum required	Maximum allowed for surface parking lots
Retail	2 stalls / 1000 nsf	4 stalls / 1000 nsf
Office	2 stalls / 1000 nsf	4 stalls / 1000 nsf
Residential	1 stall per dwelling unit	2 per dwelling unit
Restaurant	0.5 stall per 4 seats	1 stall per 4 seats

nsf = net square feet

1. Parking requirements for uses not listed shall be determined by a study of parking demand for that use, as prepared by a qualified professional and as accepted by the Director.



2. Retail and restaurant uses less than 3000 in nsf in area shall be exempt from parking requirements.
3. Uses sharing a common parking facility may reduce the required number of stalls by 25%.
4. Required parking may be located off site, so long as it is: a) located within the DUC zone, b) is within 1000 feet of the property, c) is connected to the property by streets improved with sidewalks or walkways, and d) is tied to the site by a contractual agreement reviewed and approved by the City Attorney that is filed with the City and Deed of Record at the County.
5. On-street parking that is located directly adjacent to a development site may be used to satisfy minimum parking requirements and shall not be included in determining maximum surface parking allowances.
6. Dedicated offsite parking provided within a parking structure may be used to provide FAR bonuses for a project on a separate site, provided the parking structure is located consistent with this chapter.
7. The maximum standards noted in the table above may be exceeded if all stalls above the maximum limit are provided within a parking structure.
8. Compliance with these standards is not required for a change of use within an existing building or whenever there is an expansion of an existing building or a new building replaces an existing building that does not increase the floor area by more than 25%.
9. In lieu of providing the minimum parking required by this section, an applicant may choose to pay for each required parking stall into a special fund that will be used to provide and upgrade municipal parking to serve the DUC zone. The per stall fee shall be as specified in the City's fee schedule.

#### H. Signs

The design of all signs shall be in conformance with the design standards referenced in ACC 18.29.070. Allowable types, numbers and sizes of signs shall be as follows:

1. Freestanding: Not allowed, except for monument signs as described within the "Downtown Auburn Design Standards;" no more than one per street frontage; maximum size: 64 sq. ft., calculated at a rate of one (1) square foot of sign area per lineal foot of site frontage; minimum entitlement shall be 32 sq. ft; maximum height: 5 ft.

2. Wall signs: maximum area of 150 sq. ft. per building facade, calculated at a rate of one (1) square foot of sign area for every lineal foot of façade; minimum entitlement shall be 16 sq. ft.

3. Suspended signs attached under a marquee or canopy: one double-faced sign, no greater than three (3) sq. ft. per face allowed for each building entrance; maximum clearance above grade: 8 ft.

4. Portable Signs. Except for Main St. frontages, one portable sign may be allowed for each business entrance, not to exceed one portable sign per building frontage, subject to the following:

a. May be placed within public right-of-way subject to the guidelines provided by the director in consultation with the city engineer such that sign does not interfere with pedestrian or vehicular traffic and conforms to the requirements of the Americans with Disabilities Act.

b. May not exceed 36 inches in height and 30 inches in width and be limited to two faces.

c. May be displayed during business hours only.

d. Must be constructed of either wood or another sturdy material to ensure stability in the wind.

e. May not move, spin, flash, or otherwise be animated.

f. Shall meet applicable supplemental design requirements of the Auburn Downtown Association.

#### I. Landscaping.

Landscaping shall be provided as defined in the Downtown Auburn Design Standards.

Deleted: of all surface parking lots

#### 18.29.070 Design Standards.

Adopted by reference are the "Downtown Auburn Design Standards," a copy of which shall be maintained by the City Clerk. This document contains standards for development of the built environment in the DUC zone. The Director shall have the authority to apply the standards to specific development proposals. These standards

Formatted: Font: (Default) Arial

Formatted: Font: (Default) Arial

may be amended upon approval by the Planning and Community Development Committee of the Auburn City Council.

EXHIBIT "A"

**Formatted:** Font: (Default) Arial, 10 pt

**Formatted:** Right

**Formatted:** Font: (Default) Arial

**Formatted:** Font: (Default) Arial